

HOUSE No. 1082

By Mr. Linsky of Natick, petition of David Paul Linsky and others for legislation to clarify the responsibility of school districts to provide transportation to students. Education.

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky	Mary E. Grant
Jay R. Kaufman	Deborah D. Blumer
Alice Hanlon Peisch	

In the Year Two Thousand and Five.

AN ACT CLARIFYING SCHOOL DISTRICTS' RESPONSIBILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended by striking
2 out section 68, as appearing in the 1998 Official Edition, and
3 inserting in place thereof the following section:—
4 Section 68. Every town shall provide and maintain a sufficient
5 number of schoolhouses, properly furnished and conveniently sit-
6 uated for the accommodation of all children therein entitled to
7 attend the public schools. If said distance between a child's resi-
8 dence and the school he is entitled to attend exceeds two miles
9 and the nearest school bus stop is more than one mile from such
10 residence, and the school committee declines to furnish trans-
11 portation, the department, upon appeal of the parent or guardian
12 of the child, may request the town to furnish transportation for the
13 children in grades kindergarten through six for a part or for all the
14 distance between such residence and the school. Nothing con-
15 tained in the preceding two sentences shall be construed to limit
16 the obligation of regional school districts to provide transportation
17 for all school children in grades kindergarten, though twelve, pur-
18 suant to the provisions in section sixteen C of the chapter.

19 No school committee shall be compelled to furnish transporta-
20 tion on a private way. The school committee, unless the town oth-
21 erwise directs, shall have general charge and superintendence of
22 the schoolhouses, shall keep them in good order, and shall, at the
23 expense of the town, procure a suitable place for the schools, if
24 there is no schoolhouse, and provide fuel and all other things nec-
25 essary for the comfort of the pupils. Whenever a town shall under-
26 take to provide a schoolhouse, the town shall appoint at least one
27 member of the school committee, or its designee, to serve on the
28 agency, board or committee to which the planning and construc-
29 tion or other acquisition of such schoolhouse is delegated.